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**CERTIFICATE OF MAILING (37 CFR 1.10)**

I hereby certify that any and all papers attached hereto and/or referred to as being transmitted herewith are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Box Patent, Assistant Commissioner for Patents, Washington, DC 20231, on the date indicated below.

Date: September 5, 2002

*Kim R. Jessum*  
Kim R. Jessum

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Sam E. KINNEY, JR. et al. )  
Application No.: 09/282,157 ) Group Art Unit: 3624  
Filed: March 31, 1999 ) Examiner: Alain L. Bashore  
For: METHOD AND SYSTEM FOR )  
CONDUCTING ELECTRONIC )  
AUCTIONS WITH MULTI-PARAMETER )  
PRICE EQUALIZATION BIDDING )

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP**

**RECEIVED**  
SEP 13 2002  
**GROUP 3624**

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT OR RESPONSE AFTER FINAL REJECTION - TRANSMITTAL**

1. Transmitted herewith is an Amendment responding to the Final Rejection dated June 5, 2002.
2. Additional papers enclosed:

Drawings:  Formal  Informal (Correction)  
 Supplemental Information Disclosure Statement  
 Form PTO-1449A, 50 references included

- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- Declaration

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	65	minus	75	0	x \$18 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))	10	minus	10	0	x \$84 each=	+ \$0
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$0
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0

6. Fee Payment

No fee is to be paid at this time.

The Commissioner is hereby authorized to withdraw \$180.00 from Deposit Account 50-0310 for a Supplemental Information Disclosure Statement.

Check in the amount of \$ \_\_\_\_ for \_\_\_\_\_. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

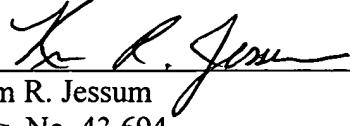
The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: September 5, 2002

By:

  
Kim R. Jessum  
Reg. No. 43,694

**CUSTOMER NO.: 028997**

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